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*Attorneys for Defendants*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

_____	)	
BING LI, <i>et al.</i> ,	)	
	)	Civil Action No.
Plaintiffs,	)	3:14-CV-07081-PGS
	)	
v.	)	
	)	
AETERNA ZENTARIS, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF AUSTIN A. EVANS  
IN SUPPORT OF DEFENDANTS' OPPOSITION  
TO LEAD PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

I, Austin A. Evans, declare as follows:

1. I am over the age of twenty-one and am a resident of the State of Georgia.

2. I am a Senior Associate with the law firm of King & Spalding LLP, located at 1180 Peachtree Street, N.E., Atlanta, GA 30309. I am one of the attorneys representing Defendants in the above-captioned matter.

3. I submit this declaration in support of Defendants' Opposition to Lead Plaintiffs' Motion for Class Certification.

4. Attached as **Exhibit 1** is a true and correct copy of Aeterna's Annual Report For The Fiscal Year Ended December 31, 2016, on Form 20-F, as filed with the SEC on March 15, 2017.

5. Attached as **Exhibit 2** is a true and correct copy of Aeterna's Annual Report For The Fiscal Year Ended December 31, 2010, on Form 20-F, as filed with the SEC on March 31, 2011.

6. Attached as **Exhibit 3** is a true and correct copy of Aeterna's Annual Report For The Fiscal Year Ended December 31, 2012, on Form 20-F, as filed with the SEC on March 21, 2013.

7. Attached as **Exhibit 4** is a true and correct copy of a document titled "Special Protocol Assessment Guidance for Industry," dated as of April 20, 2016,

which is available at <https://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM498793.pdf>.

8. Attached as **Exhibit 5** is a true and correct copy of Aeterna's press release titled: "FDA Issues Complete Response Letter for Aeterna Zentaris' Macrilen<sup>TM</sup> NDA in Adult Growth Hormone Deficiency," dated as of November 6, 2014.

9. Attached as **Exhibit 6** is a true and correct copy of excerpts of the Deposition of Adam Werner, Ph.D., which was taken on February 10, 2017.

10. Attached as **Exhibit 7** is a true and correct copy of the Expert Report of David I. Tabak, Ph.D., dated March 23, 2017.

11. Attached as **Exhibit 8** is a true and correct copy of excerpts of the Deposition of Jamshid Khodavandi, which was taken on February 17, 2017.

12. Attached as **Exhibit 9** is a true and correct copy of excerpts of the Deposition of Phong Thomas Dinh, which was taken on February 23, 2017.

13. Attached as **Exhibit 10** is a true and correct copy of excerpts of the Deposition of Dr. Gregory Vizirgianakis, which was taken on March 15, 2017.

14. Attached as **Exhibit 11** is a true and correct copy of the document produced by Plaintiffs with production numbers PL\_DINH\_000001-25.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing facts are true and correct.

Dated: March 23, 2017

Respectfully submitted,

*s/ Austin A. Evans*

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**CERTIFICATE OF SERVICE**

I hereby certify that, on March 23, 2017, a true and correct copy of the foregoing was served via e-mail on the counsel of record listed below. I further certify that, on May 8, 2017, I caused a true and correct copy of the foregoing to be filed via the Court's ECF system, which will send notice to all counsel of record.

Laurence M. Rosen, Esq. Yu Shi, Esq. THE ROSEN LAW FIRM, P.A. 609 W. South Orange Avenue Suite 2P South Orange, NJ 07079 Tel: (973) 313-1887 Fax: (973) 833-0399  <i>Attorneys for Lead Plaintiffs</i>	Kevin F. Ruf, Esq. Kara M. Wolke, Esq. Elaine Chang, Esq. Glancy Prongay & Murray LLP 1925 Century Park East, Suite 2100 Los Angeles, CA 90067 Tel: (310) 201-9150 Fax: (310) 432-1495  <i>Attorneys for Lead Plaintiffs</i>
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Dated: May 8, 2017

/s/ Austin A. Evans

Austin A. Evans